

## NEW SUIT AGAINST ST. REGIS.

WORK ON THE ANNEX OF THE HOTEL MAY BE STOPPED.

Neighbors Who Could Not Prevent the Building by Pleading a Restriction on the Property Now Assert That the Building Code Has Been Violated.

John Jacob Astor, as owner of the Hotel St. Regis, and Landlord Haan are likely to have another lawsuit on their hands.

The hotel is to have an annex, plans having been filed for an extension which is to be erected on East Fifty-fifth street. The plans for this extension or annex have been passed on and contracts have been made for iron and mason work totalling about \$200,000. The ground is now being prepared for the erection of the building and excavations are being made for the cellars.

The annex is to be built on two plots of ground in Fifty-fifth street, one having a frontage of 60 feet and the other a frontage of 20 feet. On the 50 foot lot a building eighteen stories high is to be put up, while on the 20 foot lot the building will be five stories high.

Some years ago the property owners in East Fifty-fifth street, among them John Jacob Astor, entered into an agreement by which part of that street was to be restricted to private dwellings.

When these property owners heard that an extension to the Hotel St. Regis was to be built they protested, but their protests were of no avail and so Henry S. Redmond and others commenced an action in court to restrain John Jacob Astor from building on the 20 foot lot and the agreement was set forth to gain their suit. The lawyers in this suit were Duer, Strong & Whitehead of 52 Wall street.

This suit was argued in court, and the lawyers for the Astor estate, Evans, Tracy & Sherman, announced that there would be no violation of the agreement, but that on the 20 foot lot a private dwelling was to be built, which was to be five stories high and would be occupied by R. M. Haan, the hotel proprietor.

What had attracted attention in the plans filed with the Building Department was that this private dwelling would have cellars that went thirty-five feet below the ground. The lawyers explained this by saying that in modern, up to date dwellings that much cellar room was absolutely necessary for electric lighting plants, refrigerating plants, etc. The court decided that as it was to be a dwelling there would be no violation of the agreement.

This, however, did not satisfy Mr. Redmond and his friends, and they carefully examined the plans for the annex and have now complained to the Building Department that the plans are in violation of Section 10 of the Building Code. This section says that a building erected for hotel purposes must not occupy more than 90 per cent. of the ground it is not more than five stories high and that it exceeds that height there must be 2½ per cent. more space for each additional story.

This question was referred to John P. O'Brien of the law department of the Building Bureau. Mr. O'Brien gave an opinion last Friday which was referred to Corporation Counsel Delany and approved by him. This opinion is now on file in the Corporation Counsel's office and in the Building Department, and it upholds the contention of Mr. Redmond.

Carter, Ledyard & Milburn, who are the lawyers for the hotel in this suit, will ask the courts for an interpretation of the law.

According to the plans which have been filed in the Building Department, and which had been approved, the annex is one building and connects with the hotel proper. The five story structure and the eighteen story structure all form one part and when finished, apparently are to be a part of the main hotel. Work has not been stopped on the excavations for the new buildings.

Just what the Building Department is going to do in the matter is not yet known. Superintendent of Buildings Isaac A. Hepper has the opinion approved by the Corporation Counsel and it is expected that he will take some action at once.

## SUIT ON ANTHRACITE STRIKE.

John Mitchell Preparing Defence for G. W. Wells's Demand for \$200,000.

HARTFORD, Pa., Sept. 14.—President John Mitchell of the United Mine Workers of America to-day requested the three anthracite districts, including John F. Fahy, W. F. Nichols and William Dettery, to meet him in Wilkesbarre on Saturday to hold a conference over the \$200,000 damage suit that has been instituted against Mr. Mitchell by G. W. Wells, an attorney of Binghamton, N. Y., who says that he furnished Mitchell with the plans that led to the settlement of the strike of 1902 and that he received no compensation for his labor.

Mitchell is preparing a defence. Well known mine workers say that the hearing of the case, which will be held at Binghamton next week, will bring out the fact that it was Senator Hanna who induced the President to call the representatives of the miners and the operators to Washington to agree upon a plan of settlement and bring the strike to an end.

## MORE BUILDING STRIKES.

Employers and Alliance Have Settled Down Now for a Long Fight.

The war between the Building Trades Alliance and the Building Trades Employers' Association seemingly has settled down to a fight to a finish. Five new strikes were ordered yesterday, one at the Hotel Lorraine, Forty-fourth street and Fifth avenue; another on a contract of Walter Reid & Co., at 100th street and Broadway; and the other on three contracts of Contractor T. Farley.

The marble cutters who are on strike sent word to the Journeymen Stone Cutters' Union last week that if the latter did not either settle the trouble with William Bradley & Son or declare a general strike by Tuesday the marble cutters would return to work yesterday. The stone cutters did neither, and the marble cutters were still on strike yesterday.

Among the unions which will send representatives to a meeting to-night in Bloomfield Turn Hall, Eighth avenue and Fifty-fourth street, called by the alliance to enlist outside unions in the fight, are the Carpenters and Bricklayers' Union and the various local unions of bricklayers. Neither trade is in the alliance, which is particularly anxious to enlist the housemiths in its fight against the arbitration agreement. So far both the housemiths and bricklayers have kept aloof and say that they will abide by the arbitration agreement. They also say, however, that they will not work with non-union men or members of dual unions.

No more conferences have been arranged between the unions in the alliance and the employers' association, and the emergency committee of the latter is now preparing for a long fight.

## Delany Wants More Money.

Corporation Counsel Delany submitted his estimates yesterday of the money required to run his department next year. The appropriation made last year for his office was \$480,000. He is now asking for \$750,000. The greater part of the increase is wanted for raising salaries.



"A hat," said Beau Brummel to his valet, "is a first offense. Don't wear it out of season. That would be a second offense."

WE'RE SELLING OUR SPECIAL THREE-DOLLAR HATS IN OUR SIXTEEN RETAIL STORES ALL OVER THIS COUNTRY.

WHEN YOU THINK HOW MANY HATS THAT MEANS, YOU WILL REALIZE HOW WE CAN AFFORD TO SELL SO GOOD A HAT FOR SO LITTLE MONEY.

\$3.

**Browning King & Co.**  
Broadway, bet. 31st and 32d Sts., New York  
16 to 26 Cooper Square,  
Fulton Street and DeKalb Ave., Brooklyn.

## READY TO WORK ON SCHOOLS

UNIONS' OFFER TO THE BOARD OF EDUCATION.

Employers, However, Will Not Dismiss With the Alliance and There's Small Chance of Improvement—Plan to Put Classes on a Recreation Pier.

A number of representatives of the Building Trades Alliance went to the office building of the Board of Education at Park avenue and Fifty-ninth street yesterday to have a conference with the building committee of the Board of Education in regard to putting men on unfinished schoolhouses to hasten their completion.

Chairman Richard H. Adams of the committee had sent a letter to the alliance and also to the Building Trades Employers' Association asking that the strikes and the lockouts be called off so far as the schools in course of construction are concerned.

William R. Nason, president of the alliance, was the first to show up at the school hall. The others that appeared were James J. Daly of the tile layers' union, John J. Crowe of the plasterers, R. J. Anselow of the stone cutters and John McKeown also of the stone cutters.

Chairman Adams, the only member of the committee present, pointed out the necessity of having the schools built, and expressed his opinion that work on the new schools could be continued without affecting the differences between the labor organizations and the employers' association.

The men submitted a proposition which, as given out by Mr. Adams, follows: "The various trades of the Building Trades Alliance represented here stand ready to return to work on all school buildings if permitted by the Building Trades Employers' Association. This agreement applies to all school buildings under construction, but does not extend to private work."

Mr. Adams said that the result of the conference was satisfactory and that he proposed to lay the proposition before the employers' association and to ask them to cooperate.

It is up to the employers now," he added. Lewis Harding, chairman of the press committee of the employers' association, when told of the action of the alliance committee, said:

"We can enter into no deal with the alliance either with regard to school buildings or any other work. We will not recognize that body in any way whatever and will act as if it did not exist. We received a list of school buildings nearing completion from the building committee of the school board. Most of the contractors are non-association men, but the contracts which are held by members of the Building Trades Employers' Association will be maintained by us without any reference to the alliance. We have notified the contractors for such schools to appear to-day and receive instructions from the school board."

For the purpose of urging the use of a recreation pier as a school a committee representing School 36 called upon Mayor McClellan yesterday. The committee was composed of Dr. M. Goldberger, chairman; Dr. M. Landessman, Mrs. K. E. Bove, secretary, Dr. G. Straubemuller and Principal

The members of the committee told the Mayor that the school they represented which is Ninth street between Avenue B and C, had seating for 1,700, while the applications were 2,600. Arrangements had been made for part time classes, but with the pier converted to school purposes nearly 2,000 more children could be instructed.

The Mayor told the committee that he would refer the matter to the Dock Commissioner.

Plans were filed yesterday for a new five story school building at the southwest corner of First avenue and 117th street to relieve the overcrowding in this section of the city. The new school is to be No. 38. It will cost \$125,000.

## TO OPEN FALL RIVER MILLS.

Owners Will Unlock the Gates on Oct. 3 and Await Results.

FALL RIVER, Mass., Sept. 14.—It was announced this afternoon that the cotton manufacturers have decided in an informal way to open their mills on Monday, Oct. 3, to ascertain whether they can secure enough help to operate them under the reduction of 12½ per cent. in wages. When the report of this decision came out, N. B. Borden, president of the Manufacturers' Association, said that the association had not voted to do that, but he was not sure that a movement to that end was not under way.

This announcement is the most important made since the proposed reduction was decided upon and the strike was begun. This is the eighth week of the strike, and nothing of any moment has occurred since the first day, when some little disturbance was made. The five unions are paying all of their members strike benefits, and the non-union hands are securing aid at relief stations from outside contributions and the city.

The strikers are beginning to feel the effects of the strike, and it is believed that many of them will go to work as soon as the gates are opened. The applications for aid at the pauper department are three times the normal rate, and the State Board of Charities has four officers here to investigate the claims for aid entered by those who have not established a residence here and are charges of the State.

During the eight weeks the operatives have been praised for the order maintained. There has been no chance for them to start trouble, as not a mill gate has been opened since the first day. It is expected that when the gates are opened in October there will be trouble. It will mark the real beginning of the struggle, and both sides are preparing for it.

ESTD. 1807  
**COWPERTHWAIT'S**  
"RELIABLE" CARPETS  
FURNITURE BARGAINS.

SPECIAL AUTUMN OFFERINGS.

GOLDEN OAK SIDEBORDS, \$17-\$20-\$24,  
(Former Prices, \$22-\$27-\$32.)

Highly polished, French bevel mirrors, brass drawer pulls, etc.

## KASHMIR RUGS.

6x9 ft., \$8.50

9x9, 12.50

9x10.6, 15.00

9x12, 17.50

Orbital designs and colorings.

Also Special Reductions in "Reliable" Carpets and odd pieces of furniture.

**Long Credit**  
makes the dollars do double duty.

**COWPERTHWAIT & CO.**  
104 To 108 West 14th St.  
NEAR 6th AV.

Brooklyn Stores. Flatbush Av. near Fulton St.

Burlington  
Route

Free Information About  
**California**

Let me send you a free copy of our pamphlet containing a list of 140 California hotels and boarding houses affording accommodations at from \$7 to \$15 per week and upward; also a large map of the State and its coast line; an outline of the various scenic routes by which it is best reached from the East, and detailed information about the Burlington California Excursions available at greatly reduced rates from September 15 to October 15.

Send the coupon to-day.

W. J. O'MEARA, Eastern Passenger Agent  
870 Broadway, NEW YORK.

Send the California Tourist Booklet to

Name

Address

City

**A FINE SCHOOL OR BUSINESS SUIT.** N. Y. Store only. Special sale of over 300 Young Men's Blue, Black and Mixed Cheviot Suits, both Single and Double breasted, 14-19 years (30-35 chest). These were carried over from last season, when none of them were marked less than \$12 and \$15, and quite a number of the small sizes were \$18. Please understand that we endeavor, always, to be scrupulously exact in all statements about our clothing.

SMITH, GRAY & CO.

\$7.50



Ten Million Buttons—at a clip! We bought the entire stock of Wm. Farwell & Co. of Northborough, Mass., the largest makers in the world, of the finest stag and buffalo horn buttons. Think of a tailor shop big enough to buy out a button factory. Do you wonder with such enormous facilities that we can make a better suit for \$25 than \$35 usually owns?

Everything we do is done in a bigger way than anybody else's, except price making.

We advise the new "unfinished wide wale worsteds" in plain gun metal grays and wood browns.

Send for samples, measuring outfit and fashion cards.

**ARNHEIM**  
Broadway and 9th St.

## MADDOO WANTS MORE MEN.

Too Many Police Details Is One of the Causes of the Shortage.

Police Commissioner Maddoo spent a good part of yesterday afternoon selecting the detective sergeants who are to go back to duty in uniform and to do work similar to that of a runner, and to do such work as the list ready in the afternoon, but finally gave it up. There will be at least seventy of them, he said, and perhaps more. The list will be ready to-day.

The detective sergeants, the Commissioner explained, would do regular tours of duty and would be under the command of the captain of the precinct to which they were assigned. They will do no desk duty. They might put up a fight in the courts against doing anything but detective work. Mr. Maddoo said, but until they did he would not discuss the legal side of the change.

"We are short-handed all around," said the Commissioner. "We need men on Staten Island and we need a new station house there at Tottenville. Then the West Forty-seventh, East Twenty-second, Mulberry and other precincts need more men."

"There are too many men on detail. The police courts have more men than are needed. There are more men detailed to the audit department than I had reckoned on. There are ten men and a roundsman on the boiler squad and many on the license squad. The law that requires policemen to do such work is ridiculous. I don't belong to this department. I shall try to cut down the details and get more men."

The attention of the Commissioner was drawn to an interview with former Superintendent of Police Byrne criticised the head of the Police Department. Mr. Maddoo said that he had nothing to say in reply to Mr. Byrne.

## GRAND HOTEL TO EXTEND.

To Be Remodelled, Taking in the New 12 Story Hotelery Adjoining.

Plans were filed at the Building Bureau yesterday for the remodeling of the Grand Hotel, at the southeast corner of Broadway and Thirty-first street, adjoining Wallack's Theatre and owned by the Higgins estate, and annexing to it the new \$350,000 twelve story fireproof hotel at 34 and 36 West Thirty-first street, owned by the Rutgers Realty Company, of which William Crittenden Adams is president. The new hotel company has leased its building for a term of years to William G. Leland, the lessee of the Grand.

The older Broadway building, which is eight stories high, is to be connected by fireproof doorways with the new building at the seven lower stories. It will be equipped with three new staircases and with a mezzanine gallery floor at the first story. New fireproof walls will be put in and the building partly remodelled to harmonize with the design of the new structure. The changes are to cost \$20,000.

## GOT HIS FRIEND'S BODY.

Trip of Two Men to the World's Fair Ends With One on Dissecting Table.

LEXINGTON, Ky., Sept. 14.—J. G. West, who passed through here yesterday with the body of his friend, William Hampton, says that when he and Hampton arrived in St. Louis, to visit the fair, Hampton left his hat in the smoking car as they started to get off the train, and he went back after the hat, leaving Hampton on the platform. When he returned in a few minutes he could not find Hampton.

West says he searched for his friend the whole time he was in St. Louis, and in seven days he found his body on a dissecting table surrounded by medical students. He secured possession of the remains, but no one could give him any information as to the cause of Hampton's death or where he had been found.

*The Wanamaker Store*

Store Closes at 5:30 P. M.

Dollar Shirts  
For Men

We have tried to improve on our Wanamaker Dollar White Shirts for Men, but have had to give it up. Other stores haven't been able to get anywhere near them, in general excellence, at the same price. The nearest approach to them costs \$1.50.

We base this statement on a careful dissection of every other Dollar Shirt on the market.

These Dollar White Dress Shirts are made in five styles:

Open front and back, with studs or eyelets; or short bosom, with one stud or eyelet.

Open back; regular or short bosoms; single or double plait.

Coat Shirts, for studs only.

All sizes, and sleeve lengths in each style.

Bosoms are of fine linen; body of shirts is of good muslin, amply and correctly cut, carefully put together, and accurate and roomy in dimensions. \$1 each.

Then we are also proud of our splendid new showing of

## DOLLAR COLORED SHIRTS

for men's Autumn and Winter wear. In neat black, polka-dot, or fine stripes or figures in blue or black; all sizes; detachable cuffs. Made by the maker of the dollar white shirts, and fine shirts at their price.

Broadway and Ninth street.

A New Book of  
AMERICAN HUMOR  
Published Today

A great many thousands of people thoroughly enjoyed *The Letters of a Self-Made Merchant to His Son*, by George Horace Lorimer. Now the second book of these letters is just off the press. Its title is *Old Gorgon Graham*. While it is more letters from the same father to his son, it deals with the young man's problems from a distinctly new standpoint. The old man has gradually come to regard his son as more of an equal, and he writes to him as one of the managers of his business. He attempts to help *Pierrepoint* with his domestic problems, and this part of the letters will be read with delight by women as well as men.

Speaking of his son's marital troubles, the old man remarks: "So far as I can see, your mother-in-law is the only real trouble you have married. You simply want to dodge when she leads with the right, and take your full ten seconds on the floor, and come back with your left cheek turned towards her. There is nothing like using a little diplomacy in these matters. Then mother'll mellow up into a nice, old lady, who will brag about you to the neighbors."

There are so many good things in the book, that quotations would scarcely stop until the whole book was quoted. It is a book to take the cobwebs out of the brain, and make men forget their business troubles. Price, \$1.08.

Book Store, Ninth street.

Rugs of the Orient

We have assembled here at the present time, such a collection of fine and practical Oriental Rugs, as might well constitute a great under-price offering, if these rugs were compared with the usual market valuations; but this is not a bargain announcement, however attractive the values may be.

We have gathered these artistic rugs with the utmost care. We have selected only those which appealed to us by reason of their beauty, and their qualities of excellence.

The Eastern Rug has won its place of pre-eminence by reason of the artistic beauty and great care with which it has been constructed. There is a thoroughness to Oriental workmanship in picking out good wools, in having dyes that last almost for centuries, and the hand-weaving is thoroughly done, to the tying of the last thread.

Rugs possessing these virtues are still to be had, but commercialism has crept in and destroyed the instinct of honesty in some sections of the East; and shoddy, badly-made rugs, which have something of the Oriental characteristics, are being foisted on the public in large quantities.

It is our office to sift out these unworthy sorts, and present to you only authentic and honestly made rugs of the Orient—in that way securing us and you.

With this assurance of excellence, we are still able to quote prices that are often lower than those on shoddy rugs of the same size. While the effects secured in the cheap rugs are very carefully worked out, by a little careful comparison anyone can distinguish which is the true and which is the false.

We particularly wish to have you see the following important groups:

About four hundred Rugs in carpet sizes, from 6 x 9 feet to 25 x 35 feet, at prices from \$40 to \$5,000. These rugs are in grades of recognized merit, from Persia, India and Turkey. The kinds include Gorum, Kirmanshah, Tabriz, Kurdistan, and Fereghan in the ancient grades. The more modern rugs in this group are Savalan, Shirvan, Chahak and Kasmul.

About one hundred Soumae and Afghan Rugs, in sizes from 6½ to 8½ feet wide by 9 to 12 feet long; priced from \$65 to \$125.

About five hundred Shirvan, Kazak, Mousul, Hamadan, Kirmanshah, Fereghan, Tabriz and Silk Rugs; 3 to 6 feet wide by 4 to 9 feet long, at \$4.50 to \$450. Third floor.

YOUR FALL SHOES  
Ready---at Large Savings

The cool days and rainy days call sharply for new shoes. Oxford and thin-soled shoes are kind to the doctors, when their results do not overwork the entire fraternity. There will still be days undoubtedly, to wear low shoes, but high ones should be handy to put on when wanted.

Each year, just when the people begin to feel this anxiety for new shoes, we prepare to supply them in a very large way, and at very much below the usual prices.

The Autumn SHOE SALE Is Ready

This year we have done better than ever before in a good many ways. Most of the shoes which we have provided for the occasion are brand new, in the most popular shapes and styles, having been made up especially for us during the dull Summer months, when the manufacturers were glad to forego profits to keep the wheels going.

Of course, we have taken many special lots of shoes that the market offered, when we found them worthy of this occasion. They are in great variety for men, women and children.

Those who take advantage of this sale will secure, in almost all cases, exactly the shoes desired, with the assurance that they are worth, on an average, one-half more than the price paid for them. Here are the prices and descriptions of the various groups:

Women's Shoes at \$1.50 a Pair

Kidskin, lace and button, with tips of kid and patent leather; shapely and durable shoes for young women.

Women's Shoes at \$1.90 a Pair

Kidskin, button; plain common sense toes.

Kidskin, button and lace; kid tips, military heels.

Patent leather, button and lace; medium and light weight, slim last, Cuban heels.

Kidskin dress shoes; patent leather tips; neat military heels.

All made with oak-tanned soles, full vamps and silk stitching.

Women's Shoes at \$2.20 a Pair

Sevin styles, including some exclusive lasts this season. The kidskin is of extra quality; soles are selected oak tanned; and are all welted and stitched. The labor and leather are such as you expect in \$2.50 shoes, and sizes and widths are complete.

Women's Shoes at \$2.60 a Pair

Patent leather, lace; kidskin, button and lace, in ten styles. Hardly any shoe need ever be worn that is better than this lot; and they are fairly worth a third more than \$2.00.

Boys' Shoes at \$2 a Pair

Box calf and kidskin, made of selected skins; with vamps that run under the tips; and with oak leather welted soles that will wear well; sizes 13 to 5½.

And these special groups at

One Dollar a Pair

Boys' Shoes and Oxfords at \$1 a Pair

Originally worth \$3 to \$4 a pair. Sizes missing in the broader widths; size-range 13 to 5; all with heels.

Children's Shoes and Oxfords at 88c a Pair

Were \$1.20 to \$2.50, and nearly every size is in stock. These shoes are of higher grade than usually drop to this price.

Fourth Avenue.

**JOHN WANAMAKER**

Formerly A. T. Stewart & Co.

Broadway, 4th Ave., 9th and 10th Sts.

DRY-SOLE

POLITICIANS, KEEP OFF!

Magistrate Barlow Resents Their Interference in Excise Cases.

Several politicians have recently requested Magistrate Barlow to exercise clemency in cases where liquor dealers were charged with violating the excise law. Yesterday afternoon the Magistrate received such a request written on note paper intended for use only by persons connected with the Court of Special Sessions. The Magistrate was annoyed.

"This practice," he said, "is highly improper. It could only have a derogatory effect. This is the second time I have been approached. Yesterday a politician had the absolute audacity to walk into my private office to ask for clemency in a similar case."